

Citation	Condition or Requirement	87 35
1902(a)(10) and 1902(m)(1)(C) of the Act, P.L. 97-248 (Section 137) and P.L. 99-509 (Section 9402)	d. In determining countable resources for disabled individuals, including disabled individuals with incomes up to the Federal nonfarm poverty line described in section 1902(m)(1) of the Act, the following disregards are applied:  <input checked="" type="checkbox"/> The disregards of the SSI program. *  <input type="checkbox"/> The disregards of the SSI program, except for the following restrictions applied under the provisions of section 1902(f) of the Act:	
1902(1)(3)(B) of the Act, P.L. 99-509 (Section 9401(b))	e. In determining countable resources of women during pregnancy and during the 60-day period beginning on the last day of pregnancy covered under the provisions of section 1902(a)(10)(A)(ii)(IX) of the Act, the following disregards are applied:  <input type="checkbox"/> Not applicable. No resource standard is applied.  <input type="checkbox"/> The disregards of the SSI program.  <input type="checkbox"/> The following disregards which are different but not more restrictive than the disregards of the SSI program:	

*11/4/2*  
\* Except for less restrictive disregards as specified in Supplement 5 to Attachment 2.6A of the State Plan 85-25.

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Citation	Condition or Requirement
1902(1)(3)(B) of the Act, P.L. 99-509 (Section 9401(b))	<p>e. In determining countable resources of women during pregnancy and during the 60-day period beginning on the last day of pregnancy covered under the provisions of section 1902(a)(10)(A)(ii)(IX) of the Act, the following disregards are applied:</p> <p><input checked="" type="checkbox"/> Not applicable. No resource standard is applied.</p> <p><input type="checkbox"/> The disregards of the SSI program.</p> <p><input type="checkbox"/> The following disregards which are different but not more restrictive than the disregards of the SSI program:</p>

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Citation	Condition or Requirement
42 CFR 435.732, 435.831	4. Handling of Excess Income - Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only  a. <u>Medically Needy</u>  (1) Income in excess of the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of either <u>1</u> or <u>6</u> month(s) (not to exceed 6 months) to determine the amount of excess countable income applicable to the cost of medical care and services.  (2) If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:  (a) Health insurance premiums, deductibles and coinsurance charges.  (b) Expenses for necessary medical and remedial care not included in the plan.  (c) Expenses for necessary medical and remedial care included in the plan.  — Reasonable limits on amounts of expenses deducted from income under a.(2)(a) and (b) above are listed below.

1902(a)(17) of the  
Act

Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

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State/Territory: New York

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Citation	Condition or Requirement
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1903(f)(2) of the Act	a. <u>Medically Needy (Continued)</u> <u>X</u> (3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.
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Medically Needy (continued)

1902(a)(17)  
435.831(g)(2)  
436.831(g)(2)

States are permitted to exclude from incurred medical expenses those bills for services furnished more than three months before a Medicaid Application

       Yes, the State elects to exclude such expenses.

  X   No, the State does not elect to exclude such expenses.

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Citation	Condition or Requirement
42 CFR 435.732	<p>b. <u>Categorically Needy - Section 1902 (f) States</u></p> <p>The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:</p> <ol style="list-style-type: none"><li>(1) Any SSI benefit received.</li><li>(2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.</li><li>(3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.</li><li>(4) Other deductions from income described in this plan at <u>Attachment 2.6-A, Supplement 4</u>.</li><li>(5) Incurred expenses for necessary medical and remedial services recognized under State law.</li></ol>
1902(a)(17) of the Act, P.L. 100-203	<p>Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.</p>

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Citation	Condition or Requirement
	4.b. <u>Categorically Needy - Section 1902(f) States</u> Continued
1903(f)(2) of the Act	— (6) Spenddown payments made to the State by the individual.
	NOTE: FFP will be reduced to the extent a State is paid a spenddown payment by the individual.

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Citation

Condition or Requirement

5. Methods for Determining Resources

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable resources for AFDC-related individuals, the following methods are used:

(a) The methods under the State's approved AFDC plan; and

☒ (b) The methods under the State's approved AFDC plan and/or any more liberal methods described in Supplement 8b to ATTACHMENT 2.6-A.

(2) In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

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Citation	Condition or Requirement
<b>5. <u>Methods for Determining Resources</u></b>	
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B) and (C), and 1902(r) of the Act	<p>b. <u>Aged individuals</u>. For aged individuals covered under section 1902(a)(10)(A)(i)(X) of the Act, the agency used the following methods for treatment of resources:</p> <p>— The methods of the SSI program.</p> <p>X SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A</u>.</p> <p>— Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describes the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specifies the more liberal methods.</p>

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Citation	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B), and 1902(r) of the Act	<p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.</p> <p>c. <u>Blind individuals</u>. For blind individuals the agency uses the following methods for treatment of resources:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The methods of the SSI program.</li><li><input checked="" type="checkbox"/> SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A</u>.</li><li><input type="checkbox"/> Methods that are more restrictive and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describe the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specify the more liberal methods.</li></ul> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>

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